

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CHARM STEP/EASY STREET
SALES CORPORATION,

Plaintiff,

V.

Case No. 1:09-cv-11787-RGS

RACK ROOM SHOES, INC.

and

RACK ROOM SHOES OF VIRGINIA, LLC,

and

HEINRICH DEICHMANN-SCHUHE

GmbH & Co. KG,

Defendants.

NOTICE OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(i), Plaintiff Charm Step/Easy Street Sales Corporation (“Charm Step/Easy Street”) hereby dismisses this action:

- (i) **with** prejudice, as to Rack Room Shoes, Inc.;
- (ii) **with** prejudice, as to Rack Room Shoes of Virginia, LLC; and
- (iii) **without** prejudice, as to Heinrich Deichmann-Schuhe GmbH & Co. KG.

RESPECTFULLY SUBMITTED,

January 19, 2010

/s/ Merton Thompson

Merton E. Thompson (BBO# 637056)

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ATTORNEYS FOR CHARM STEP/
EASY STREET SALES CORPORATION

CERTIFICATE OF SERVICE

I, Merton Thompson, hereby certify that on January 19, 2010, a copy of this *NOTICE OF DISMISSAL* was served via CM/ECF and/or electronic mail on the following counsel for Defendants:

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/s/ Merton Thompson
Merton Thompson, Esq.